

Memorandum

To: CHAIR AND COMMISSIONERS

CTC Meeting: September 15, 2004

Reference No.: 3.7
Information Item

From: CINDY MCKIM
Chief Financial Officer, Acting

Prepared by: Terry Abbott
Division Chief
Local Assistance

Ref: **FIFTH CYCLE AB 1012 UNOBLIGATED RSTP, CMAQ, AND REGIONAL TEA "USE IT OR LOSE IT" BALANCE REPORT**

SUMMARY:

The annual notice to regional agencies for the fifth cycle of AB 1012 "Use It or Lose It" provisions was released on December 29, 2003. At that time fifth cycle Regional Surface Transportation Program (RSTP), Congestion Mitigation and Air Quality (CMAQ), and Regional Transportation Enhancement Activity (R-TEA) funds subject to potential reprogramming on December 29, 2004 totaled approximately \$229 million, based on September 30, 2003 balances. Eleven agencies had CMAQ balances subject to reprogramming, nine agencies had RSTP balances subject to reprogramming, and 31 regions had R-TEA balances subject to reprogramming.

The June 30, 2004 balance reports show total funds subject to reprogramming for the fifth cycle of AB 1012 are approximately \$86 million, a reduction of \$143 million. Approximately 60 percent of the amount subject to reprogramming is in the RSTP program, 30 percent is in the CMAQ program, and 10 percent is in the R-TEA program. The number of agencies with CMAQ balances subject to reprogramming has decreased from 11 to 8, agencies with RSTP balances subject to reprogramming has decreased from nine to six, and the number of regions with R-TEA balances subject to reprogramming has decreased from 31 to 19 (please note that agencies may have more than one type of fund subject to reprogramming). As part of the continuing effort to maximize the Department of Transportation's (Department) cash management proposal, projects on the State Highway System with cooperative agreements and administered by the Department are being processed under advanced construction. Currently, there are seven projects for a total of \$36 million that have used the advanced construction process. The fifth cycle AB 1012 balances subject to reprogramming have been reduced to include those projects processed under advanced construction.

Regional agencies were required to submit obligation plans for all AB 1012 fifth cycle balances by May 1, 2004. With the exception of Lassen, Mariposa and San Benito, obligation plans were received from all agencies having fifth cycle balances subject to reprogramming. The Department is continuing to work with the agencies to ensure all fifth cycle balances subject to reprogramming will be obligated by the December 9, 2004 deadline.

BACKGROUND:

AB 1012 was enacted October 10, 1999 with a goal of improving the delivery of transportation projects. A section of the legislation states that regional agency CMAQ and RSTP funds that are not obligated within the first three years of federal eligibility are subject to reprogramming by the Commission in the fourth year. The Department is including R-TEA funds under the AB 1012 use it or lose it requirements. In addition, the Department is required to submit quarterly progress reports on impacted fund balances to the Commission.

Attachments

APPORTIONMENT STATUS REPORT

CMAQ, RSTP, R-TEA

Per AB 1012

as of June 30, 2004

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Attachment Page 1

Cycle 5 Summary (with AC Projects Included)

Region	CMAQ Unobligated 06/30/04 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²	RSTP Unobligated 06/30/04 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²	R-TEA Unobligated 06/30/04 Delivery Balance ¹	R-TEA Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²
Butte	1,471,855	-	-	-	-	-
Fresno	22,695,419	3,285,887	14,674,822	-	1,794,574	670,055
Kern	14,481,950	448,502	11,542,578	-	1,357,814	-
Kings	1,472,078	-	-	-	-	-
Los Angeles	65,636,324	-	215,991,394	34,868,503	7,511,826	-
Madera	1,408,524	-	1,536	-	-	-
Merced	4,967,855	419,901	84,897	-	-	-
Monterey	4,585,584	-	1,593,468	-	1,220,854	643,480
Orange	70,405,121	14	66,805,790	12,615,361	4,906,368	1,897,721
Riverside	27,964,923	-	30,627,472	1,185,385	3,681,618	1,526,697
Sacramento (SACOG)	37,044,783	-	22,180,785	-	1,196,087	-
San Benito	888,006	248,079	-	-	-	-
San Bernardino	72,539,939	20,873,184	33,159,889	610,074	5,007,861	2,205,640
San Diego	17,069,939	-	30,080,635	-	(1,835,508)	-
S.F. Bay Area (MTC)	36,307,535	-	57,496,573	-	3,710,043	-
San Joaquin	7,747,231	-	8,021,777	-	(71,962)	-
San Luis Obispo	-	-	1,495,741	-	806,806	219,038
Santa Barbara	6,993,630	47,176	3,320,540	-	454,381	-
Santa Cruz	3,179,308	228,519	4,826,076	-	69,638	-
Stanislaus	7,985,557	-	5,036,238	-	644,520	77,953
Tahoe	778,926	-	-	-	141,224	56,000
Tulare	6,467,007	-	5,945,088	-	802,977	111,562
Ventura	12,774,326	-	7,159,582	-	1,163,646	178,531
Rural Counties & SCAG	\$0	\$0	\$8,083,014	\$1,671,305	\$4,145,781	\$1,662,772
TOTAL	\$424,865,820	\$25,551,262	\$528,127,895	\$50,950,628	\$36,708,548	\$9,249,449

¹ Indicates all apportionments not yet obligated.

² Reflects balances 2-years old entering 3rd year.

Cycle 5 assumes the use of all previous cycle balances.

Note: The Regional balances reflect activities that have been recorded in Caltran's Local Assistance accounting system. There may be a time delay between the FHWA authorization and the recording of the transaction in the Caltran's Local Assistance accounting system.

Balances include FFY 2004 advanced apportionments.

Balances are adjusted for projects using the State AC process.

APPORTIONMENT STATUS REPORT
CMAQ, RSTP, R-TEA
Per AB 1012
as of June 30, 2004

Reference #3.7
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Cycle 5 Summary
Rural Counties

Region	CMAQ Unobligated 06/30/04 Delivery Balance ¹	CMAQ Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²	RSTP Unobligated 06/30/04 Delivery Balance ¹	RSTP Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²	R-TEA Unobligated 06/30/04 Delivery Balance ¹	R-TEA Amount Subject to AB 1012 Reprogramming Cycle 5 12/29/2004 ²
Rural County Information:						
Del Norte	-	-	-	-	-	-
Humboldt	-	-	-	-	433,275	118,616
Lake	-	-	-	-	-	-
Mendocino	-	-	-	-	509,071	212,005
Lassen	-	-	-	-	425,552	225,350
Modoc	-	-	-	-	-	-
Plumas	-	-	-	-	171,346	50,899
Shasta	-	-	-	-	-	-
Siskiyou	-	-	-	-	54,158	-
Tehama	-	-	-	-	-	-
Trinity	-	-	-	-	(115,854)	-
Colusa	-	-	-	-	-	-
El Dorado	-	-	342,621	-	94,823	-
Glenn	-	-	-	-	-	-
Nevada	-	-	-	-	71,297	-
Placer	-	-	3,356,965	-	34,629	-
Sierra	-	-	-	-	-	-
Inyo	-	-	130	-	759,671	332,793
Mono	-	-	-	-	131,371	-
Alpine	-	-	-	-	-	-
Amador	-	-	-	-	226,235	120,292
Calaveras	-	-	-	-	-	-
Mariposa	-	-	-	-	98,000	16,275
Tuolumne	-	-	-	-	295,185	155,739
Imperial (SCAG)	-	-	4,383,298	1,671,305	957,022	430,803
Rural Combined Totals:	\$0	\$0	\$8,083,014	\$1,671,305	\$4,145,781	\$1,662,772

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Balances include FFY 2004 advanced apportionments.